

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

APPLE INC.,

Plaintiff,

v.

MASIMO CORPORATION and
SOUND UNITED, LLC,

Defendants.

C.A. No. 22-1377-MN-JLH

MASIMO CORPORATION,

Counter-Claimant,

v.

APPLE INC.

Counter-Defendant.

APPLE INC.,

Plaintiff,

v.

MASIMO CORPORATION and
SOUND UNITED, LLC,

Defendants.

C.A. No. 22-1378-MN-JLH

MASIMO CORPORATION and
CERCACOR LABORATORIES, INC.,

Counter-Claimants,

v.

APPLE INC.

Counter-Defendant.

**MOTION FOR TELECONFERENCE TO RESOLVE
PROTECTIVE ORDER AND DISCOVERY DISPUTES**

The parties respectfully move to schedule a conference to address outstanding disputes regarding the following discovery issues:

- 1) When Apple must supplement its response to Masimo's Interrogatory No. 25.
- 2) Whether Apple must supplement its responses to Masimo's Interrogatory Nos. 3 and 27.
- 3) Whether Masimo must supplement its response to Apple's Interrogatory No. 2.
- 4) Whether Masimo must supplement its response to Apple's Interrogatory No. 12.

The following attorneys, including at least one Delaware Counsel and at least one Lead Counsel per party, participated in a verbal meet-and-confer by telephone on the following dates:
Issue 1: August 2, 2023; Issue 2: June 2, June 5, July 10, August 2, and August 11, 2023; Issue 3: August 9, 2023; Issue 4: July 19, 2023.

Delaware Counsel:

For Masimo: John C. Phillips, Jr.

For Apple: David E. Moore

Lead Counsel:

For Masimo: Jared Bunker (Issue 2, June 2, June 5, July 10; Issue 3, August 9), Mark Lezama (Issues 1 and 2, August 2 and 11); Stephen Larson (Issue 4)

For Apple: Carson Olsheski (Issues 1–3), Benjamin Luehrs (Issue 2, June 2, June 5, July 10, August 11); Mark Ford (Issue 2, August 11; Issue 4)

The parties are available for a teleconference on the following dates: August 22–24, 2023; for August 23, the parties are available only in the afternoon.

Dated: August 11, 2023

POTTER ANDERSON & CORROON LLP

PHILLIPS MCLAUGHLIN & HALL, P.A.

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